

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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AULISTAR MARK, HANCHEN LU and :
ANDREW HUDSON, Individually and on Behalf of :
All Others Similarly Situated, :
:
Plaintiffs, : Civil Action No. 1:13-cv-04347-AJN
-against- :
:
GAWKER MEDIA LLC, and NICK DENTON, :
:
Defendants. :
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AFFIDAVIT OF CHARLIE JANE ANDERS

CHARLIE JANE ANDERS declares, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am of legal age and am competent to make this Declaration. I have personal knowledge of the facts sets forth in this Declaration, or I have learned said facts to speak on behalf of Gawker Media, LLC.
2. I currently am the Managing Editor of Gawker Media, LLC's ("Gawker's") website, io9.com, a daily publication that covers science, science fiction, and the future. Previously, I served as the Associate Editor and News Editor of io9.
3. I personally supervised many of the interns myself.
4. Annalee Newitz (the Editor-In-Chief of io9) was in charge of acquiring the intern applicants to interview, and I helped interview applicants for the entertainment section of the blog from early 2008 until we ended the intern program in January 2013.
5. Usually there were two interns at any given time that would learn the part of the website that covered entertainment. Sometimes there was one additional intern that learned the part of the website that covered science, which Annalee supervised.

Interns were only responsible for contributing to a few posts per week, which is not a significant effort. If we did not have interns to contribute to these posts, our employees would have been able to write them during their regular workday, or we would simply not have written them at all. We would not have had to hire additional paid staff. We initially told interns that we required them to contribute ten hours per week, but I would be surprised if any of them put in more than five hours per week. We encouraged them to write as much as they liked for us, but it was not required.

6. Since different interns spent time on different sections of the site for different editors, most of them contributed remotely. Meredith Woerner, currently the Entertainment Editor of io9, has also supervised interns. At times she had interns come into the office, but I did not interact with them.

7. Since the interns mostly contributed remotely and were only required to complete a few hours per week, the interns contributed on their own time and had no set schedule. An individual internship could last up to four or six months, but often interns would ask if they could continue interning with us for longer.

8. None of our internships were paid, and the interns understood that it was an unpaid position. We had one or two paid interns at the launch of the site, but we stopped paying the next interns that arrived in 2009. None of the subsequent interns complained that they were not paid since they understood that it was an unpaid internship from the beginning. If I used any of their writing in an editorial post, they would of course receive a byline or a shared byline.

9. The training program was not a formal process. We explained the required tasks when the interns first arrived and then gave them lots of feedback over the

first month or two to make sure they were on track. For example, when interns carried out research, they would often come back with insufficient results. I would tell them how they missed important things that were necessary to make the research truly complete enough for a story. After giving them research tips, I would send them back to try the research again.

10. I also spent some of my time with io9 interns teaching them how to be better writers. I would edit pieces of intern writing and tell the interns what they needed to do differently in terms of formatting and tone. When they successfully researched and contributed to articles, I would give them a co-byline. We always encouraged them to try to pitch their own articles and to write themselves. The goal was to teach them enough so that they would be able to curate a site themselves.

11. This type of supervision contrasts with my supervision of regular employees. The full-time employees know how to curate a site, and how to pitch, research, write, and edit posts. I do not have time to hold their hands. With interns, I hold their hands more. Since we usually only hired experienced writers as employees, the interns required a significantly larger amount of guidance from me as their supervisor. Some interns were better than others, but they all required me to take more time with them than I would with a full-time writer.

12. There was never a promise of a full-time job at Gawker at the end of any internship.

13. I gave many references for both graduate school and job applications.

14. If we did not have interns, io9 would not have hired additional employees. The interns did a very small amount of simple tasks that employees could have easily handled themselves.

I declare under the penalty of perjury under the laws of the State of New York and the United States of America that the foregoing is true and correct.

Executed this 10 day of January, 2014 in San Francisco.



CHARLIE JANE ANDERS